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MEMO ENDORSED

January 26, 2011

Via FAX

Hon. Denise L. Cote, U.S.D.J.
United States District Court
500 Pearl Street, Room 1040
New York, New York 10007

Re: *Travelers Cas. and Sur. Co. v. Dormitory Authority of the State of New York, et al.*
Case No. 07 Civ. 6915 (DLC)

Dear Judge Cote:

Plaintiff Travelers Casualty and Surety Company ("Travelers"), Defendants Dormitory Authority of the State of New York ("DASNY"), TDX Construction Corp. ("TDX"), Kohn Pedersen Fox Associates, P.C. ("KPF"), and Third-Party Defendant Trataros Construction, Inc. ("Trataros")(jointly referred to as the "Settling Parties") jointly request a one-day time extension, through Friday January 28, 2011, (1) to finalize the settlement agreement among the Settling Parties, (2) for all parties remaining in this case to comply with the Court's January 25, 2011Order (Docket No. 590), and (3) for the Settling Parties to respond to each others' motions in limine in the event that the settlement is not finalized. The specific motions in limine covered by this request are:

1. Notice of Motion and all documents filed in support of Travelers' Motion in Limine - Docket No. 556
2. Notice of Motion and all documents filed in support of Trataros' Motion in Limine - Docket No. 560
3. Notice of Motion and documents filed in support of the DASNY, TDX, and KPF's Motion in Limine - Docket No. 553

This request is filed on behalf of the Settling Parties due to ongoing and expected inclement weather and logistical issues associated with obtaining approval of the terms of the final settlement agreement along with all of the necessary signatures by tomorrow. Modifying the joint pretrial order before the settlement agreement is finalized would be premature in the unlikely event that the settlement in principle cannot be finally consummated.

I have been authorized to send this letter on behalf of counsel for all of the Settling Parties.

We thank you for your attention to this request.

Respectfully submitted,

Stephen B. Shapiro /TAF

Stephen B. Shapiro

cc: All Counsel of Record (via e-mail)

The January 25, 2011 Order requiring a mark-up of the pretrial order by January 28 at noon remains in effect. The settling parties may respond to the motions in limine on January 28.

Denise Cote
January 26, 2011